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September 3, 2004

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Curt Frye  
U.S. Department of the Navy  
Naval Facilities Engineering Command  
10 Industrial Highway  
Code 1823-Mail Stop 82  
Lester, PA 19113-2090

RE: Comments on the Draft Work Plan Marine Sediment Sampling for the Former  
Derecktor Shipyard, Naval Station Newport, Newport, Rhode Island

Dear Mr. Frye,

The Rhode Island Department of Environmental Management, Office of Waste Management, has reviewed the Draft Work Plan Marine Sediment Sampling for the Former Derecktor Shipyard, dated July 28, 2004. Attached are comments generated as a result of this review (draft comments were sent out by email prior to the proposed sampling date).

The additional sampling at Derecktor Shipyard was discussed during a meeting held on April 8, 2004. The thrust of the sampling effort was to sample historic onsite sample locations. The Navy did not proposed conducting a forensic study at the site nor did it proposed to collect additional background samples. The Office of Waste Management raised preliminary concerns, including the fact that there was recent evidence of previously unknown contamination adjacent to the piers.

The work plan submitted by the Navy is more than a simple resampling of historic sample locations, in that it includes a forensic study and additional sampling of the background sample locations. The study is clearly designed to reevaluate previously conclusions reached concerning the need to dredge at Derecktor Shipyard. As such it should be subject to the complete review process outlined under the federal facilities agreement.

The Office of Waste Management is concerned with the timing of work plan submittals by the Navy for regulatory review. The Derecktor Shipyard Work Plan was submitted weeks before fieldwork was schedule to begin. This obviously does not allow for adequate regulatory review and or revisions of the work plan. The timing of the Derecktor Work Plan submittal is not an isolated occurrence. A number of work plans have been submitted immediately prior to the work being implemented and/or the work was carried out while the regulatory agencies were still reviewing the plan. The Federal Facilities Agreement, which the Navy agreed to and signed, outlines the submittal process for documents. This process allows for review of documents by the regulators, submission of comments, response to these comments by the Navy, revision of the document and final approval of the document

by the regulators. This process was deemed necessary by all the parties of the Federal Facilities Agreement, as it create a process, which insured that work was being carried out correctly and in accordance with State and Federal requirements.

The Office of Waste Management is aware that situations may arise which will require an expedited review, such as, the discovery of contamination, which may represent an eminent threat. This has not been the case for the aforementioned work plans as these areas were known sites which did not represent an emergency situation. Further, at these sites, agreement was reached well ahead of time that additional work should be performed. The failure of the Navy to submit the work plans in an appropriate manor undermines the process laid out in the Federal Facilities Agreement and brings into question the value of the collected information with regards to its use in the decision process at the site. The Office of Waste Management suggest that the Navy take what ever steps are necessary to ensure that all future plans are submitted in a timely manor.

If the Navy has any questions concerning the above, please contact this Office at (401) 222-2797, ext. 7111.

Sincerely,

Paul Kulpa, Project Manager  
Office of Waste Management

cc: Matthew DeStefano, DEM OWM  
Richard Gottlieb, DEM OWM  
Kymberlee Keckler, EPA Region I  
Cornellia Mueller, NSN

**Comments on the  
Draft Work Plan Marine Sediment Sampling  
for the Former Derecktor Shipyard,  
Naval Station Newport**

**1. Section 1.0, Introduction,  
Page 1-3.**

“Analysis of Sediments samples using forensic techniques (TPH fingerprinting and extended PAH analysis) to identify probable hydrocarbon contaminant sources.”

The Office of Waste Management questions the need to perform a forensic study at the site. A Remedial Investigation, Ecological Risk Assessment, Human Health Risk Assessment and Feasibility Study have already been performed at the site. These studies delineated the areas of contamination, determined the source of contamination, assessed the risk associated with the contamination and proposed remedial alternatives to address the contamination. At this stage in the process the Navy wants to go back to the first step in the remedial investigation phase and ascertain the source of the contamination. These issues have already been addressed and consensus has been reached. The Work Plan has not provided any information supporting a position that the original studies were in error. Therefore, unless the Navy can produce this information, the Office of Waste Management does not approve of the proposed forensic study.

**2. Section 1.0, Introduction,  
Page 1-3.**

“Analysis of sediments samples using forensic techniques (TPH fingerprinting and extended PAH analysis) to identify probable hydrocarbon contaminant sources.”

The Work Plan proposes conducting a forensic analysis for TPH and PAHs. The work plan has not included a section describing how this forensic study will be performed, the standards to be used in the study, the nature of the analysis being performed, the limitations of the study, etc. Obviously, as the needed information was not provided it is not possible to either review or approve the forensic study. Therefore please include a section that provides the necessary details concerning the forensic study.

Be advised that the Office of Waste Management has raised a number of questions concerning the validity of previous forensic studies performed by the Navy. The studies were found to be inadequate and the information generated by the studies could not be used for making decision at the site. Therefore, if the proposed study is of a similar design to the previously rejected studies, the Office of Waste Management will not

approve any report based upon these studies or use the information generated from these studies to support decisions for the site.

**3. Section 3.2 Sediment Sample Collection,  
Page 3-2.**

The Work Plan proposes collecting sediment samples from the 0-6 inch interval. As justification for this interval the report should include a table depicting the depths and observed concentration of contaminants observed in the previous studies. This information is needed to ascertain whether the proposed samples will be collected at the correct depth.

**4. Section 3.2 Sediment Sample Collection,  
Page 3-2.**

The Work Plan proposes collecting sediment samples from the 0-6 inch interval. Certain areas may have been deepened or built up as a result of the docking and long term mooring of the aircraft carriers. Therefore, the work plan should specify that samples in the vicinity of the ships will be collected from the 0-6 and 6-12 inch interval.

**5. Section 3.2 Sediment Sample Collection,  
Page 3-2.**

Sediment samples in the vicinity of the piers to address the recently uncovered evidence of contamination should include both shallow and deep samples.

**6. Table3-1, Marine Sediment Sample Locations and Selection Rational,  
Page 3-3.**

This section of the document calls for the collection of six background samples. The function of the additional sampling effort at Derecktor Shipyard is to ascertain whether the docking of the two aircraft carriers and one battleship, as well as the current use of Pier # 2 has resulted in a redistribution of contamination at the site. The background sample locations were not affected by contamination from Derecktor Shipyard nor were they subject to the berthing of the aforementioned ships. As such, there is no justification for the collection of additional samples at the background station. Therefore, the proposed sampling effort in these areas must be deleted from the report.

**7. Table3-1, Marine Sediment Sample Locations and Selection Rational,  
Page 3-3.**

The function of the proposed sampling effort is to determine whether activities at the site have resulted in a redistribution of contaminants and to ascertain whether there is additional contamination at the site. In order to address these concerns the following sampling stations must be added to the plan:

Collection of four samples on the north side and four samples on the south side of Pier # 2 (Pier used by Coast Guard). Sampling stations should be equally spaced along the length of the pier.

Collection of four samples on the north side and four samples on the south side of Pier # 1 (Inactive ship pier). Sampling stations should be equally spaced along the length of the pier.

Collection of four sample samples along a centerline in between piers 1 and 2.

**8. Table3-2, Analytical Methods, Sample Containers, Preservatives,  
Page 3-7.**

This section of the report notes that TPH analysis will be performed on the samples. Please be advised that the TPH analysis must be capable of detecting the full range of petroleum products that may be present. This will necessitate the use of two separate TPH test methods, one for low-end fuels and one for high-end fuels. Please modify the report accordingly.

**9. Table3-2, Analytical Methods, Sample Containers, Preservatives,  
Page 3-7.**

The report should provide details concerning the particular TPH test method to be employed at the site. Please be advised that all GCs must be run to at least C44 or baseline, whichever is further. All petroleum products must be quantitated. Copies of all sample GCs and laboratory GCs must be included in the report. The operating parameters, flow rates, temperature ramps, etc must be the same for standards and samples and must be included in the report